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MEMO ENDORSED

October 28, 2020

BY ECF

Honorable Denise L. Cote
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, New York 10007

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 10/29/2020

Re: *United States v. Zalmund Zirkind*, S9 19 Cr. 463 (DLC)
LETTER MOTION TO AMEND CONDITIONS OF BOND TO PERMIT DAILY
MORNING ATTENDANCE AT RELIGIOUS SERVICES 9 A.M TO 11 A.M.

Dear Judge Cote:

On behalf of Mr. Zirkind, this application follows an earlier related request and respectfully seeks an opportunity to attend morning daily prayer service from 9 a.m. until 11 a.m. at Congregation Lubavitcher, 770 Eastern Parkway in Brooklyn, NY, where the Defendant is now permitted to attend Sabbath services. *See* DE 78 (Motion to Amend Conditions of Bond to Permit Greater Attendance at Religious Prayer Services); DE 82, (Order Granting application to attend services at the Congregation Lubavitcher from Friday to Saturday evening, denying additional attendance without prejudice to a future application); DE 102 (Motion to Temporarily Amend Conditions of Bond to Permit Attendance at High Holiday and Other Services); DE 106 (Order Granting DE 102). Counsel has reviewed this request with AUSA Stephanie Lake and USPO Rothman who agree with the relief requested.

By way of background information, the Defendant was arrested in the Northern District of New York on July 16, 2020, was released on stipulated conditions that include home confinement on August 5, 2020. The Defendant is fully compliant with his release conditions. The Defendant pled guilty to his one-count indictment charging that he laundered narcotics proceeds in violation of Title 18, United States Code, Sections 1956 (a)(1)(A)(i), (a)(1)(B), (a)(2)(A), (a)(2) (B), and 1957(a).

The Defendant is an Orthodox Rabbi of the Chabad sect. His religious observance makes it his duty to pray three times daily: in the morning, in the afternoon, and at nightfall. The Defendant respectfully seeks the opportunity for attendance at his morning prayer (shacharit) at the Congregation Lubavitcher where (socially distanced) group prayer is thought to be most effective.

We thank Your Honor for your review.

Respectfully submitted,

/s/ Neil M. Schuster

Neil M. Schuster

NMS:asnd

Josh Rothman, Intensive Supervision Specialist

Stephanie Lake, AUSA

Aline R Flodr, AUSA

Sebastian Swett, AUSA

The defendant may not violate
any New York State Covid-19
restrictions as any other Law.

This application is denied
without prejudice to renewal
supported by a showing
that attendance at these
Xines and at this place
will fully comply with
the Law.

Aline Lake
10/29/20